



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 3628
Examiner : Poinvil, Frantzy
Serial No. : 09/578,085
Filed: : May 24, 2000
Inventor : Richard Palmeri
Title : SYSTEM FOR ELECTRONIC
: RE-ALLOCATION OF A
: TRANSACTION AMOUNT TO
: AN INVESTMENT

Docket: 1029-03

Dated: March 6, 2007

RESPONSE

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Official Action dated October 6, 2006.

We again respectfully submit that solicited Claims 30-58 are patentable over the newly cited reference, Burke in view of the previously cited and overcome reference, Hartt et al.

It appears from the Examiner's comments in the current action, that the Applicant's reiteration of the failing of Hartt to disclose, teach, or suggest the claimed invention was not clear. The issue is not merely a matter of timing as the Examiner contends, but the fact that Hartt (either alone or in hypothetical combination with Burke) fails to disclose, teach, or suggest expressly recited aspects of the claimed invention, such as "electronically distributing at least a portion reallocated from said transaction amount from said user account to said vendor account using at least one electronic system; and electronically distributing said portion reallocated from said transaction amount from said vendor account to said user trust account using at least one electronic system..."

As stated in the Applicant's response filed on June 14, 2004 (and the apparent basis upon which the Examiner withdrew the Hartt rejection at that time), "Hartt et al. do not teach or suggest electronically receiving at least a portion reallocated from the transaction amount from the vendor to the user account. In Hartt et al., the subscriber transaction information is transferred after the transaction, such as by using written records, magnetic files, or electronic